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IN THE UNITED STATES DISTRICT COURT FOR THE

MIDDLE DISTRICT OF ALABAMA

2006 DEC 19 AM 9:37

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALAAFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED  
IN FORMA PAUPERISDerrick D. Smith 221124  
Plaintiff(s)v.  
Capt. Nettles  
Defendant(s)

2:06CV1114-WKW

I, Derrick Smith 221124, being first duly sworn, depose and say that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below are true.

1. Are you presently employed? Yes ( ) No (X)

A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer.

B. If the answer is NO, state the date of last employment and the amount of salary or wages per month, and give the name and address of your employer.

N/A

2. Have you received within the past twelve months any money from any of the following sources?

A. Business, profession, or form of self-employment? Yes ( ) No (X)

B. Rent payments, interest, or dividends? Yes ( ) No (X)

C. Pensions, annuities, or life insurance payments? Yes ( ) No (X)

D. Gifts or inheritances? Yes ( ) No (X)

E. Any other sources? Yes (X) No ( )

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months. Well I have got one \$5000 \$100.00 And other also the 100.00 is what I'm trying to get back.

3. Do you own cash, or do you have money in a checking or savings account? (Include any prison accounts). Yes (X) No ( )

If the answer is YES, state the total value of the items owned. \$94.18

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property ordinary household furnishings and clothing? Yes ( ) No (X)

If the answer is YES, describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to them and indicate how much you contribute toward their support. N/A

Derrick D Smith 221124  
Signature of Affiant

STATE OF ALABAMA  
COUNTY OF Bullock

Before me, a Notary Public in and for said County, in said State, personally appeared

Derrick D Smith, whose name is signed to the foregoing complaint

first duly sworn, deposes on oath and says:

That the information set forth in the foregoing affidavit is true and correct to the best of his knowledge and belief.

Derrick D Smith 221124  
Signature of Affiant

Sworn to and subscribed before me on this 6th day of December, 2006

L. Lee L. Anthony  
NOTARY PUBLIC  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Mar 18, 2007

My Commission Expires:

OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/6/06  
(date)

Derrick Smith 221124  
Signature of Affiant

## CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ 94.18 on account to his credit at the BULLOCK COUNTY CORR. FACILITY institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months [not to exceed six (6) months].

A.	\$	_____	on the first day of _____
B.	\$	_____	on the first day of _____
C.	\$	_____	on the first day of _____
D.	\$	_____	on the first day of _____
E.	\$	_____	on the first day of _____
F.	\$	_____	on the first day of _____

Date:

12-14-06

J. Cunningham  
Authorized Officer of Institution

BULLOCK COUNTY CORR. FACILITY

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
BULLOCK CORRECTIONAL FACILITY

AIS #: 221124

NAME: SMITH, DERRICK D.

AS OF: 12/14/2006

MONTH	# OF DAYS	AVG DAILY BALANCE	MONTHLY DEPOSITS
DEC	17	\$20.69	\$0.00
JAN	31	\$0.18	\$0.00
FEB	28	\$0.18	\$0.00
MAR	31	\$0.18	\$0.00
APR	30	\$0.18	\$0.00
MAY	31	\$22.76	\$100.00
JUN	30	\$100.18	\$0.00
JUL	31	\$98.82	\$0.00
AUG	31	\$97.18	\$0.00
SEP	30	\$97.18	\$0.00
OCT	31	\$95.34	\$0.00
NOV	30	\$94.18	\$0.00
DEC	14	\$94.18	\$0.00